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SUBJECT: ANNUAL ANTI-TRAFFICKING IN PERSONS REPORT: JORDAN

REF: SECSTATE 22225

¶11. Per reftel, Post's information for the 2002 anti-trafficking in persons report is contained in paras below. Responses are keyed to reftel questions. Until 6/1/2003, embassy poc on trafficking issues is PolOff Gregory ¶1D. LoGerfo. Subsequent to 6/1/2003 poc will be PolOff James Fellows.

OVERVIEW

¶12. In response to para 16a (reftel): Jordan does not meet the definitions contained in the act for a country of "origin, transit or destination for a significant number of victims of severe forms of trafficking." According to government, local human rights, and international NGO contacts (including the Minister of Labor, the International Labor Organization's regional director, a representative of the Women's Forum for Human Rights, the European Commission human rights officer in Jordan; the former president of the Jordan Society for Citizens' Rights; the human rights consultant for the prime ministry and a supervisory prosecutor general with the Ministry of Justice) there are no known operations, practices, or customs in Jordan - or which are conducted from or through Jordan - which conform to the definitions contained in section 103 (8) of the act. Based upon familiarity with local human rights conditions and the previous accuracy of the sources employed, post believes the sources are both adequate and reliable in addressing this question.

PREVENTION

¶13. As Jordan is not a country of origin, transit or destination for a significant number of victims of severe forms of trafficking:

- In response to para 17b (reftel): The GOJ has never formally assigned specific anti-trafficking responsibilities to any agency or agencies. However, as part of Jordan's overall border security program (which has intensified during the year due to various unrelated security concerns), security forces, customs officers, and immigration authorities closely monitor the flow of people and goods into and out of the country.

- In response to para 17c (reftel): There were no anti-trafficking information campaigns.

- In response to para 17d (reftel): The government has continued a number of programs that indirectly discourage trafficking by keeping children in schools through grants, subsidies, and awareness; by educating local and foreign workers about their rights under Jordanian labor laws and by promoting women's and family rights. Additionally, Jordan's socially conservative family culture actively discourages women (married or unmarried) from leaving their families in search of work in another country.

- In response to para 17e (reftel): As trafficking is not an issue in Jordan, programmatic efforts have been focused elsewhere. However, in the unlikely event that trafficking became an issue of national urgency, past government actions indicate that Jordan would be able to successfully solicit and allocate resources to provide prevention programs.

- In response to para 17f (reftel): There are no trafficking-specific programs or relationships between the government, NGOs or other elements of civil society. However, international agencies such as UNHCR and ICRC report the government remains very cooperative in their work efforts.

- In response to para 17g (reftel) The government has strict controls on its Iraqi and Syrian borders and has effective joint patrols of its western border with Israel and the occupied territories. Jordan's southern border is as well effectively controlled. With the on-going Israeli-Palestinian conflict and overall concerns for

regional stability, Jordan intensified its already tight border security regime during the year.

Investigation and prosecution of traffickers

14. In response to para 18a/b (reftel): As Jordan is not, and has never historically been, a country of origin, transit or destination for a significant number of trafficking victims, the government has never had reason to pass a law specifically prohibiting trafficking in persons. However, traffickers can be prosecuted through the penal code of 1953, which prohibits all forms of slavery. Additionally, according to penal law no. 16 of 1960 (specific provisions are outlined below), prostitution and child prostitution are both criminal offenses in Jordan. Articles no. 305-306 and 310-318 detail penalties. Article 305 states that whoever banters, jokes, or plays around in an immoral or sexually suggestive manner with a child under 15 or a female child over 15 without her consent, will be punished with up to one year in prison. Article 306 states that the proposition of immoral action or even words of immoral content to a boy or girl under 15 years of age is punishable by up to six months in prison or a 25 Jordanian Dinar (JD) fine (35 USD). Article 310 states that whoever has led or has attempted to lead a female under 20 years of age into prostitution will be punished by no less than one month and no more than three years imprisonment and a 5-50 JD fine (71 USD). The same punishment applies for anyone who has led or has attempted to lead a boy under 15 to perform homosexual acts. Article 311 states that anyone who threatens or intimidates a female to perform illegal intercourse inside or outside the Kingdom will be sentenced to one to three years in prison. Article 314 states that any guardian of a child between six and sixteen years of age who allows his/her child to live in a house of prostitution is punishable by up to six months in jail or up to a 20 JD fine (28 USD). The rest of the articles detail different prison sentences that range from two months to three years depending on the type of prostitution-related activity.

- In response to para 18c (reftel): According to Article 292 of the penal code, the penalty for rape of a female victim under the age of 15 is death, and no less than 7 years imprisonment for rape of male victims. For female victims between the ages of 15-18, the penalty is between 5-15 years with hard labor (article 294), or 10-15 years with hard labor if the perpetrator is a family member or member of the religious clergy (article 295). Any person who has sexual intercourse with a female with a physical or mental disability will be jailed for not less than ten years with hard labor (article 293). Article 296 makes it punishable by jail for anyone to disgrace the honor of men, women or children (through unwanted sexual acts without penetration) with varying terms of imprisonment depending on the age and gender of the victim.

- In response to para 18L (reftel): In April 2000, Jordan signed ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor. Jordan ratified the "rights of the child" convention in 1991, however it has not yet signed the supplemental "sale of children protocol". In 1976, Jordan ratified the convention prohibiting the sale of persons into slavery. As trafficking is not a problem in Jordan, the GOJ has not signed or ratified the protocol to "prevent, suppress and punish trafficking in persons".

Protection and assistance to victims

15. As Jordan is not a country of origin, transit or destination of significant numbers of victims of trafficking:

In response to para 19b (reftel): The government has not found it necessary to allocate budgetary resources for programs which provide funding to foreign or domestic NGOs for services to victims of trafficking. The GOJ is in the process of establishing a law which will provide relief for women who have been physically abused (in any circumstance). The details of this law are forthcoming and will be reported septel.

In response to para 19f (reftel): The government has not designed training programs for officials in how to provide assistance to trafficked victims. There are no trafficking-specific training programs or instructions for Jordanian diplomats serving in countries that are trafficking destinations or transit routes; however, prior to their service abroad, all diplomats are required to attend a human rights course.

GNEHM